

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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CHEVRON CORPORATION, :
: .
: Plaintiff, : Case No. 11 Civ. 0691 (LAK)
v. : .
: .
STEVEN DONZIGER, et al., :
: .
: Defendants. : .
: .
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**DECLARATION OF RANDY M. MASTRO IN SUPPORT OF CHEVRON
CORPORATION'S MOTION FOR PARTIAL SUMMARY JUDGMENT ON ALL
CLAIMS, COUNTERCLAIMS, AND AFFIRMATIVE DEFENSES, AND SUMMARY
JUDGMENT ON DEFENDANTS' AFFIRMATIVE DEFENSE OF COLLATERAL
ESTOPPEL.**

I, RANDY M. MASTRO, hereby declare under penalty of perjury, pursuant to 28 U.S.C. § 1746, that the following is true and correct:

1. I am an attorney licensed to practice law in the State of New York and before this Court. I am a partner in the law firm of Gibson, Dunn & Crutcher, LLP, counsel of record for plaintiff Chevron Corporation (“Chevron”) in the above-captioned matter. I make this declaration in support of Chevron’s Motion for Partial Summary Judgment on All Claims, Counterclaims, and Affirmative Defenses, and Summary Judgment on Defendants’ Affirmative Defense of Collateral Estoppel.

2. In connection with Chevron’s motion for summary judgment, Chevron is now submitting under seal directly to the Court declarations from two independent Ecuadorian witnesses, DOE I and DOE II, marked “Confidential” and subject to the terms of the Protective Order, Dkt. 723, to protect the identities of these two witnesses. They both attest to fearing

reprisal in Ecuador if their identities become known, and they both specifically request in their declarations that their identities be kept confidential and that their declarations be kept under seal. In addition, the sworn statements of Messrs. Guerra, Callejas, Campuzano, and Carvajal that are attached as exhibits to this declaration have been redacted to protect the identities of these two independent witnesses, DOE I and DOE II. The declarations of DOE I and DOE II, as well as the unredacted sworn statements of Messrs. Guerra, Callejas, Campuzano, and Carvajal, are being submitted as exhibits to the declaration of my colleague, Anne Champion, which, in its entirety, is being submitted to the Court under seal, and served on the Defendants, marked “Confidential” and subject to the terms of the Protective Order, Dkt. 723.

3. When Ramiro Fernando Reyes Cisneros voluntarily came forward as an “insider” to reveal, among other revelations, that the LAPs’ lawyers hired him to pretend to be an “independent” monitor to try to influence the judicial inspection process while on the LAPs’ payroll, the LAPs’ agents, through press releases and Pablo Fajardo’s public statements, immediately attacked Reyes, called upon Ecuadorian authorities to prosecute him for perjury, and threatened to sue him for defamation. A true and correct copy of one such press release in the Corporate Social Responsibility Newswire, dated December 17, 2012, entitled “Chevron Witness Faces Defamation Lawsuit in Ecuador for Lying in Sworn Affidavit, Lawyers Say,” is attached hereto as Exhibit A. A true and correct copy of another such press release entitled “The statements by Fernando Reyes are false, so he must answer for perjury, says plaintiffs’ attorney in lawsuit against Chevron,” dated December 15, 2012, *available at* <http://www.texacotoxic.org/son-falsas-las-declaraciones-de-fernando-reyes-por-lo-que-debera-responder-por-perjurio-dice-abogado-de-los-demandantes-en-juicio-contra-chevron/>, and a certified translation thereto is attached hereto as Exhibit B.

4. Attached hereto as Exhibit C is a redacted version of the declaration of Alberto Guerra Bastidas, former Presiding Judge of the Provincial Court of Sucumbíos, Ecuador, dated November 17, 2012, with supporting attachments A–Y, and a certified translation thereof.

5. Attached hereto as Exhibit D is a true and correct copy of the supplemental declaration of Alberto Guerra Bastidas, former Presiding Judge of the Provincial Court of Sucumbíos, Ecuador, dated January 13, 2013, with supporting attachment A, and a certified translation thereof.

6. Attached hereto as Exhibit E is a redacted version of the affidavit of Adolfo Callejas Ribadeneira, dated December 7, 2012, with supporting attachment A.

7. Attached hereto as Exhibit F is a true and correct copy of the affidavit of Ivan Alberto Racines Enríquez, dated November 29, 2012, with supporting attachment A.

8. Attached hereto as Exhibit G is a redacted version of the affidavit of Patricio Efrain Campuzano Merino, dated November 30, 2012.

9. Attached hereto as Exhibit H is a redacted version of the affidavit of Enrique Carvajal Salas, dated November 30, 2012.

10. Attached hereto as Exhibit I is a true and correct copy of the declaration of Andrés Rivero, dated January 22, 2013.

I declare under penalty of perjury that the foregoing is true and correct. Executed on this 28th day of January, 2013 at New York, New York.

/s/ Randy M. Mastro

Randy M. Mastro